



Department
for Education

Primary assessment in England

Equalities impact assessment

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Introduction

Over the past 5 years, the government has taken a number of steps to improve the primary assessment and accountability system in England so that every child is supported to fulfil their potential and is able to succeed in modern Britain. Our key focus in taking these steps has been to ensure that children are taught the essentials in mathematics, English reading and English writing, as part of a broad and balanced curriculum.

The new national curriculum, which was introduced in September 2014 and is benchmarked against the highest-performing education jurisdictions across the world, has been designed to equip primary school pupils with the core knowledge and skills that they need to be able to go on to succeed at secondary school, and to set high expectations for all our children.

In March 2014, the government announced a series of reforms to primary assessment and accountability to ensure that they reflected the new national curriculum. End-of-key stage national curriculum tests were re-designed to take account of the national curriculum programmes of study, and to provide more accurate and reliable information for teachers and parents, and for school accountability purposes. We have also taken steps to ensure that the school accountability system is fair, inclusive, and properly reflects the work of teachers. The new progress measures, introduced in 2016, ensure that schools are recognised for the work they do with all of their pupils, regardless of whether these pupils are high, middle or low attainers.

We know that primary schools have had to deal with a significant amount of change in recent years, as these necessary reforms to the curriculum and to the assessment and accountability system were implemented. We now want to build on these reforms, and to establish a settled and trusted assessment and accountability system for the long term. On 30 March, we published a [consultation document](#) on primary assessment and the implications for accountability. This covered the key issues, including the best starting point to measure the progress that pupils make in primary school and how this links to assessment of the early years, and the role and operation of teacher assessment. The consultation closed on 22 June and received 4,165 responses from a range of stakeholders and representative organisations.

The [government's response](#) to the 'Primary assessment in England' consultation was published on 14 September 2017. In that document we have set out our final policy position on each of the issues we consulted on, and confirmed the next steps towards establishing a settled and sustainable primary assessment system for the long term.

This document assesses the equalities impact of the reforms to the primary assessment system set out within the government response. It considers how the changes detailed in that document may affect different groups of pupils, particularly those with protected characteristics, as defined in the Equalities Act 2010.

This document also considers the possible impact on groups of children that are not covered specifically by the act but are shown to be over-represented among low-attaining pupils. These include pupils with special educational needs and disabilities (SEND), pupils eligible for free school meals (FSM), pupils with English as an additional language (EAL), and looked-after children. It is important to assess how the changes allow equality of opportunity for these groups, and to ensure that the difficulties that they can face are not compounded.

For children working below the standard of national curriculum tests, there are alternative statutory assessment arrangements. In 2015 the Minister of State for School Standards commissioned the independent Rochford Review to consider statutory assessment arrangements for these pupils. The Review's [final report](#) was published in October 2016 and made a number of recommendations. The recommendations proposed by the Review were considered in a parallel consultation document, which was also published on 30 March. The government's response to the Rochford Review consultation and the associated equalities impact assessment can be found [here](#).

The public sector equality duty

The Equality Act 2010 identifies the following as protected characteristics for the public sector equality duty:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race (including ethnicity)
- religion or belief
- sex
- sexual orientation

Under Section 149 of the Equality Act 2010, the Secretary of State is under a duty to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
 - tackle prejudice
 - promote understanding.

Consideration of the protected characteristics identified in the Equality Act 2010

As part of our consultation 'Primary assessment in England', we asked whether any of the consultation proposals could have a disproportionately negative impact on pupils with protected characteristics, and if so, what could be done to mitigate this.

This document sets out our response to the relevant points raised during the consultation and our assessment of the impact of the proposals with regard to the protected characteristics identified in the Equality Act 2010.

The relevant protected characteristics under consideration are gender, disability, race, religion or belief, age, and sexual orientation. Other characteristics such as gender reassignment, marital status, pregnancy and maternity are not considered relevant to primary school-aged children and therefore do not form part of this analysis. We received no responses relating to religion or belief, or sexual orientation in the consultation and have not been made aware of any evidence indicating that the planned changes to the primary assessment system would differentially affect pupils with these characteristics. We do not believe there to be any direct impact on these protected characteristics as a consequence of our planned primary assessment system. However, we will continue to monitor this through the implementation of those changes.

Any equality analysis of assessment should account for its express purpose in differentiating between pupils based on attainment against set criteria. Pupils should have equality of opportunity to demonstrate attainment and the government has a duty to mitigate any disproportionate impact on certain pupils. A difference of attainment in itself, however, is not considered unfair.

Our initial assessment is that the primary assessment system set out in the government response will not have a disproportionate negative impact on pupils with protected characteristics. In some cases, for example by adopting a more flexible approach for the teacher assessment of writing, we believe that there will be a positive impact on some pupils with protected characteristics, namely those with specific learning difficulties.

Where respondents to the consultation thought that there was a risk of adverse impact, principal concerns included that pupils with SEND would not be able to show progress, and that the inclusion of spelling criteria within the writing assessment disadvantages pupils with dyslexia. Where there are risks that there may be some negative impact from these policies for pupils with protected characteristics, we have set out below how we plan to mitigate these.

It is not possible to fully measure the impact of any new national curriculum assessments, such as the multiplication tables check, on pupil outcomes until comparable data from the new assessments are available. The impact of the policy changes set out in the 'Primary assessment in England' consultation response will therefore need to be monitored over time. This analysis considers the potential equalities

impact of the policies set out in the consultation response, and explains the measures put in place to promote equality of opportunity in relation to the changes brought about by these policies.

Engagement and involvement

The Department for Education and the Standards and Testing Agency consult a wide range of external stakeholders when developing and implementing policy. In addition, this impact assessment has been informed by responses to the public government consultation '[Primary assessment in England](#)', which ran between 30 March and 22 June 2017. This received 4,165 responses from a wide range of sources, including the following organisations representing the interests of different groups of pupils, such as those with SEND:

- **SEND organisations and experts**
 - British Dyslexia Association
 - I CAN, the children's communication charity
 - National Children's Bureau
 - National Deaf Children's Society (NDCS)
 - Royal National Institute of Blind People (RNIB)
 - The Communication Trust
 - The Driver Youth Trust
- **Subject associations**
 - Association of Teachers of Mathematics
 - Mathematics in Education and Industry (MEI)
 - National Association for Advisers of English (NAAE)
 - National Association of Mathematics Advisors
 - National Association for the Teachers of English (NATE)
 - National Literacy Trust (NLT)
 - The Mathematical Association
 - United Kingdom Literacy Association
- **Teaching unions**
 - Association of School and College Leaders (ASCL)
 - Association of Teachers and Lecturers (ATL)
 - National Association of Headteachers (NAHT)
 - National Association of Schoolmasters Union of Women Teachers (NASUWT)
 - National Union of Teachers (NUT)
 - Voice

In addition:

- Ofqual
- Ofsted

We have also taken into account a review of the relevant literature, as referenced within this document.

The early years foundation stage profile

The policy context and background

The consultation, recognising that the early years foundation stage profile (EYFSP) is a trusted and respected assessment, confirmed that the EYFSP would remain in place. We did, however, seek views on how the EYFSP could be improved in key areas. These included: how we could improve the Early Learning Goals (ELGs) as a measure of child development and school readiness, whether we could improve the assessment scales, and how we could improve the administration and moderation of the profile.

In light of consultation responses, we will clarify the descriptors underpinning the ELGs, and work to ensure that the ELGs are appropriately aligned with the year 1 curriculum. We will continue to work with practitioners and experts to achieve this. We will retain the existing assessment scales ('emerging', 'expected' and 'exceeding') but we will consider whether it is right to introduce an additional band within the 'emerging' scale. In addition, we will clarify the descriptors underpinning these scales. We will also explore ways in which reception teachers can share more nuanced information with year 1 teachers and parents about individual pupil progress and future educational needs.

To reduce the workload burden associated with administering the EYFSP, we will review all guidance that we produce to support the administration of the EYFSP, including the EYFS Profile handbook and supporting exemplification materials, as well as guidance relating to moderation of the EYFSP. We will also explore ways in which we can support the wider use of online tools to collect and share evidence, thus reducing burdens. In addition, we will review the current approach to moderation and we will explore the feasibility of moderating a limited number of ELGs, working closely with the sector and with local authorities to determine whether this approach would be appropriate.

Equalities analysis

Two important equalities issues have emerged through the consultation. The first relates to the fairness of the assessment process for pupils with SEND, and the second to whether the ELGs help to narrow the achievement gap for disadvantaged pupils.

We asked whether the current categories of 'emerging', 'expected' or 'exceeding' the level of development in each ELG are the right approach for children with special educational needs. Views were mixed; some respondents said it was not helpful to say that a child with SEND or complex needs is 'emerging', and that there was a need for greater granularity to allow practitioners to capture strengths and areas where more attention is needed. Other respondents felt that children with SEND should be assessed in the same way as other children to eliminate stigmatisation, particularly at such an early age, when in most cases a conclusive diagnosis of SEND only occurs once a child has started school.

The response to the consultation sets out that we will retain the same assessment scales for pupils with SEND, but that we will explore ways in which reception teachers can share more nuanced information with year 1 teachers and parents about individual progress and future educational needs. In addition, we will explore the possibility of introducing two bands within the 'emerging' scale. Recording progress is particularly important for children yet to reach the expected level of development. We will also explore ways in which individual information on a child's progress and educational needs can be captured accurately and efficiently, to better support year 1 teachers to identify areas where pupils may benefit from further support. This will work to minimise the risk of some pupils, particularly those from disadvantaged backgrounds, falling behind and not being able to catch up with their peers.

The consultation has shown that there is a need to clarify and refine the descriptors underpinning the ELGs in order to bring them up to date with the latest evidence on child development. We will pay particular attention to 'communication and language', ensuring that there is sufficient focus on increasing the breadth of vocabulary, as this is of fundamental importance to children's future academic performance. It has been found that improving the vocabulary for the most disadvantaged children can help to narrow the 'good level of development' gap between FSM and non-FSM children. We therefore anticipate that this change will have a positive impact on disadvantaged pupils.

We will continue to consider equalities issues in the future development of our proposals to improve the EYFSP. The impact of our proposals on pupils with protected characteristics will be an important issue for consideration by the expert advisory board that we will set up to help us develop our proposals on the EYFSP.

The best starting point for measuring progress

The policy context and background

Progress measures play an important role in the accountability system. They are fairer than attainment measures alone, as they provide a recognition of schools doing well with children starting from a lower level of attainment, while challenging those that are not doing enough with a high-attaining intake. They show the progress that schools make with all of their pupils, and give schools credit for every extra scaled score any pupil achieves. This means that they provide a much stronger incentive for schools to focus on improving the attainment of the lowest-attaining pupils, rather than focusing efforts on getting pupils over the threshold of the expected standard.

Such progress measures require a baseline to establish pupils' starting points. This enables us to work out how well, on average, a school's year 6 pupils do at key stage 2 compared to other pupils nationally with similar starting points. The baseline must be reliable and trusted, and should be undertaken as early as possible once pupils have settled in to school, to cover the maximum amount of a pupil's time in a particular school. Following the consultation, the intention is for a new assessment to be introduced in the reception year to act as this baseline. Roll-out of the assessment on a statutory basis will be in autumn 2020, with a large-scale pilot in the preceding year. We are committed to ensuring that the baseline is of a high quality, that it is appropriate for the age of the children taking it, that schools have the necessary training, guidance and support to implement it, and that the experience for the child is positive.

During the consultation process, stakeholders raised several risks associated with a baseline in reception, including how well the assessment can assess pupils, the impact of the assessment on teaching, the need to minimise any resulting burdens placed on teachers and schools, and how the data is used. It is for this reason that the government response sets out that we will trial and pilot the new assessment and ensure that it is carefully designed and delivered. Through this process we will work closely with the sector and experts to minimise burdens.

Equalities analysis

The Standards and Testing Agency (STA) will shortly begin the process of engaging a commercial partner to design and deliver the assessment. As described in the government response to the consultation, we will continue to engage with stakeholders throughout the design process. One of the key considerations will be to make the assessment as accessible as possible to, and appropriate for, the greatest number of pupils. This includes children with protected characteristics, and those with SEND and EAL.

We will ask the commercial partner to ensure that the assessment is accessible to at least 99% of pupils, so that it is as inclusive as possible. We will also state that guidance must be provided to ensure that pupils with additional needs are able to access the assessment and their outcomes are valid.

The language used in the assessment will be important; trialling, as well as the input of expert groups, will enable refinements to be made during the development process to ensure that the assessment is a valid measure of attainment on entry, including its appropriateness for young children on entry to school.

The nature of an assessment of children of this age means that pupils will be working with a known adult during the assessment, usually the pupil's regular teacher. They will complete the assessment within the first 6 weeks of starting reception, to give them time to settle in. Teachers will be able to exercise their judgement in providing breaks during the assessment for individual pupils.

The successful bidder will be expected to work with Department for Education SEND specialists and STA inclusion specialists to identify appropriate access arrangements, in order to maximise participation in the assessment without unfairly advantaging or disadvantaging any groups or individuals.

We are also clear that the data from the assessment will not be used to judge or assess individual pupils. Rather, it will only be used to create school-level average progress measures when the pupils reach the end of key stage 2, 7 years later. We will work closely with analytical experts and the sector to design these measures to ensure they do not lead to unintended consequences for pupils with protected characteristics.

The role of statutory assessments at the end of key stage 1

The policy context and background

Once the new reception baseline assessment has become fully established, data from the assessments taken at the end of key stage 1 will no longer be required to calculate primary progress measures. As a result, the consultation response confirms that we would intend to make end of key stage 1 assessments non-statutory from the 2022 to 2023 academic year onwards, if possible. At this point, the first cohort of pupils to have sat the new reception baseline assessment will have reached the end of key stage 1, enabling us to evaluate the correlation between the two assessments.

To ensure that parents continue to receive sufficient information about their child's attainment and progress at the midway point in primary school, we will retain the current requirement for schools to report on pupil performance and attainment to parents in more detail at the end of key stage 1. To support schools with this, we will make optional end-of-key stage 1 tests available for schools to use as they see fit.

We will also periodically sample key stage 1 assessment data from a small, representative sample of primary schools, to provide us with an ongoing picture of standards nationally. This data will be anonymised and will not be attributable to specific schools, or be used to hold individual schools to account.

Equalities analysis

We do not anticipate that removing statutory assessments at the end of key stage 1 will have any disproportionate impact on pupils with protected characteristics. A small number of consultation respondents suggested that removing statutory end-of-key stage 1 assessments could make it more difficult to determine where pupils need additional support. However, we will still provide optional end-of-key stage 1 tests for schools to use as they see fit, providing schools with an opportunity to benchmark their pupils against national expectations and to identify areas where additional support is required. Retaining the current requirement for schools to report on pupil performance and attainment to parents in more detail at the end of key stage 1 will ensure that all parents continue to receive comprehensive information about their child's performance at this point.

The optional tests will have the same access arrangements in place as all national curriculum assessments, for example, schools will be able to order braille, large print and other accessible versions. As is the case with all national curriculum tests, the optional tests will be developed with due regard to inclusivity. All national curriculum tests are reviewed by expert panels, which include teachers and inclusion experts, and are trialled with a nationally-representative sample of pupils.

Statutory teacher assessment in reading and mathematics at key stage 2

The policy context and background

There is currently a statutory duty for schools to report teacher assessment judgements in English reading, English writing, mathematics and science at the end of key stage 2. In the case of reading and mathematics, this information is not used to calculate headline accountability measures, as data from national curriculum tests is used instead. In the consultation, we therefore proposed to remove the requirement for teachers to assess pupils against statutory frameworks in reading and mathematics at key stage 2.

Having considered consultation responses, the statutory requirement to assess pupils against teacher assessment frameworks in reading and mathematics will be removed from the 2018 to 2019 academic year onwards. We believe that removing this requirement will reduce burdens for teachers.

Where pupils are working below the standard of national curriculum tests, teachers will continue to have a statutory requirement to assess pupils using the pre-key stage standards and to report these judgements. Further details about the arrangements for assessing pupils working below the standard of national curriculum tests can be found in the government's response to the consultation on the recommendations made by the Rochford Review.

Equalities analysis

As judgements made against statutory teacher assessment frameworks in reading and mathematics are not used to calculate headline accountability measures, on either attainment or progress, the impact on all pupils of removing this statutory requirement is likely to be low.

There were concerns cited in some consultation responses that the removal of statutory teacher assessment in reading and mathematics at key stage 2 would have a negative impact on some pupils with protected characteristics. These concerns mostly centred around the role that teacher assessment plays in reaching rounded judgements about pupil attainment, rather than relying on a 'snapshot' of performance on one day. Some respondents were concerned that if pupils who do not always perform consistently, or who do not perform well in test situations are disproportionately those with SEND or EAL, then the removal of the requirement to report teacher assessment judgements against statutory frameworks could mean that these pupils are negatively impacted. Some respondents also felt that removing the statutory requirement to assess pupils against the teacher assessment frameworks reduced the opportunity for pupils with SEND to show progress, particularly in the case of reading.

However, we are clear that removing the requirement to make judgements against statutory teacher assessment frameworks does not mean that teacher assessment of any sort will no longer take place, or that it will not be used to report pupil progress and attainment to parents or others. This change will not undermine the fundamental importance of the ongoing teacher assessment that takes place in the classroom throughout a pupil's time at primary school. Many respondents to the consultation stressed that assessments in the classroom take place every day and will continue to take place, regardless of the statutory requirement to report outcomes against frameworks set by the government. We know in-school teacher assessment plays a crucial role in informing teaching, and in supporting pupils to progress and achieve their full potential.

To ensure that we retain the status of in-school teacher assessment, the statutory requirement for schools to report pupils' general attainment and progress to parents remains, and in-school teacher assessment will continue to form an important part of this.

There are a very small number of pupils who, despite working at the standard of national curriculum assessments, are not able to access the tests in reading and mathematics. This may be because they have a disability which means that they are not able to access the tests, despite having the access arrangements in place. The removal of the statutory requirement to assess pupils against teacher assessment frameworks in reading and mathematics will mean that these pupils will not have a statutory assessment outcome reported to the department. However, this does not mean that these pupils will not have an outcome at the end of key stage 2. As discussed above, teachers will still carry out their own assessments, and schools are required to report on attainment to parents for all pupils.

The assessment and reporting arrangements also set out that where a pupil cannot participate in a national curriculum test, the school must inform parents of procedures used to analyse and monitor the pupil's needs, and identify where this information is recorded. Furthermore, even for those pupils who are working at the standard of national curriculum assessments but cannot access the tests, judgements made against statutory teacher assessment frameworks are not currently used to calculate accountability measures. For these reasons, we do not anticipate that removing the requirement to assess pupils against statutory teacher assessment frameworks in reading and mathematics will have a disproportionate impact on these pupils.

Key stage 1 grammar, punctuation and spelling test

The policy context and background

The key stage 1 English grammar, punctuation and spelling (GPS) test was non-statutory in the 2015 to 2016 academic year. In October 2016, the Secretary of State for Education announced that the test would remain non-statutory for the 2016 to 2017 academic year, with the test made available for teachers to use as they see fit.

In line with feedback from schools, we consulted on whether the test should remain non-statutory for schools beyond the 2016 to 2017 academic year. Following feedback from consultation respondents showing overwhelming support for this proposal, the key stage 1 grammar, punctuation and spelling test will remain non-statutory in future years.

Equalities analysis

Removing the statutory obligation to administer the key stage 1 grammar, punctuation and spelling test will reduce the statutory assessment burden on pupils, including those with protected characteristics. By continuing to provide optional tests for teachers to use as they see fit, teachers will still be able to identify areas where pupils need extra support and will be able to benchmark pupils against national expectations in grammar, punctuation and spelling at the end of key stage 1.

Consultation respondents gave a number of reasons as to why this test should remain non-statutory. Some respondents suggested that doing so may have a positive impact on pupils whose parents cannot give support in this area at home, for instance, those with parents who do not speak English or who are not familiar with the rules of English grammar. Some also suggested that removing the test would have a positive impact on pupils with dyslexia. We received no responses to the consultation which indicated that the proposal to keep the key stage 1 grammar, punctuation and spelling test non-statutory would adversely affect pupils with protected characteristics.

By continuing to provide optional grammar, punctuation and spelling tests, schools will still be able to use the assessments to understand how their pupils are progressing in relation to national expectations, and to also identify where pupils need more support. In addition, statutory assessments in English writing at the end of key stage 1 assess pupils' attainment in grammar, punctuation and spelling, identifying where additional support is required. This will ensure that all pupils are supported to master the basics of grammar, punctuation and spelling, which are crucial foundations for future success in writing.

Multiplication tables check

The policy context and background

Knowledge and recall of multiplication tables is essential for the study of mathematics and for everyday life. Mastering multiplication is an important foundation for further study of mathematics, including division, algebra, fractions and proportional reasoning. We announced in 2016 that we would introduce an online, onscreen multiplication tables check to support all pupils to master their times tables. The check will support schools to identify those pupils who may need extra support, and is an important part of our plan to ensure that every child leaves primary school prepared to succeed at secondary.

We consulted on the implementation of the check, including on the point in key stage 2 at which the check would take place, and how the check could be introduced in a way which places minimal burdens on pupils, teachers and schools.

In keeping with our commitment to introduce no new tests before the 2018 to 2019 academic year, we will introduce a national multiplication tables check on a statutory basis from the 2019 to 2020 academic year onwards, following a national pilot in the 2018 to 2019 academic year. Data from the assessment will be published at national and local level only, not at school level, and data from the check will not be used to trigger intervention or inspection. The development of the multiplication tables check is currently underway, with active-end user research and in-school trialling taking place to ensure that the system is accessible to users and easy to use.

Engagement and involvement

Research into the design of the multiplication tables check has included consulting:

- panels of experts with specialisms including visual impairment and testing, children with physical disabilities, dyscalculia and dyslexia
- teachers as part of a key stage 2 English grammar, punctuation and spelling teacher panel, each of whom had experience of working with children with special education needs, including visual impairment, dyslexia and autism
- the Northern Ireland Numeracy Assessment (NINA) test service supplier

Equalities analysis

The multiplication tables check is being developed with extensive research into the system requirements for all users; this includes research into the potential accessibility issues that pupils with SEND may face when taking a check of this kind in an onscreen format. Paper-based versions will not be available because of the timing element of the check, which means any paper-based version would not have valid comparability with its

onscreen counterpart.

As well as identifying potential end-user issues, the research will establish what access arrangements will be available to ensure that the check is accessible to as many pupils with protected characteristics as possible, whilst maintaining the integrity of the check. To ensure that the check is suitable for all schools, and (with adjustment) the vast majority of pupils, we are undergoing extensive trialling. We will run a large-scale national voluntary pilot in the 2018 to 2019 academic year, before the check is introduced on a statutory basis in the 2019 to 2020 academic year.

While the service is live we will remain alert to any newly emerging needs of pupils with protected characteristics. The service will have continued user research using feedback from schools and pupils in order to make any necessary improvements in future years.

Onscreen testing

Some consultation respondents expressed concerns around the accessibility and the implementation of an onscreen check. As with all assessments, access requirements for an onscreen check can vary from child to child and even the same SEND issue may not affect all pupils in the same way. A one-size fits all approach is not appropriate, and the over-arching principle for access arrangements is for schools to make arrangements according to individual children's needs. Access arrangements should be available for pupils to use the functionality which matches most closely to what is familiar to them. Where appropriate, schools will also have the option to dis-apply pupils from the check if suitable access arrangements or adjustments are not available.

We are mitigating any disproportionate impact on visually impaired pupils by designing the multiplication tables check with a number of functionalities to increase the accessibility of the check for these pupils. Although it will not be possible to develop a braille version of the check, it will be possible to change background and print colours, and to incrementally increase and decrease the size of the questions and answer boxes. This will allow children to select the size and contrast that suits them best.

Stakeholders and SEND specialists have advised that pupils who have been visually impaired for a long period are often confident computer users and usually use a standard keyboard. In theory, this means that typing speed should not be an issue for these pupils and they will be able to access the check without difficulty.

However, keyboard use may be problematic for children who have recently become visually impaired, and, therefore, we are considering alternative access arrangements for children in this situation, including the use of adult scribes or assistants and the use of a built-in question reader.

Pupils with physical disabilities may face a variety of access issues depending on their disability. The variety of physical disabilities means that different pupils are likely to need different access arrangements to meet their specific need, some of which may be relatively straightforward to provide within the system. The check will be compatible for

use on a tablet, which may increase accessibility for some pupils who face issues accessing traditional desktop PCs. However, it is likely that those with significant motor or sensory disabilities may require additional equipment to access onscreen resources. Those with upper or full body paralysis may rely on eye gaze software to communicate. Of those pupils who find it difficult to access a computer, some children will have full verbal communication, others will have slow, slurred or no speech, meaning the inclusion of voice recognition or a scribe may be of more use to some pupils than others. It is worth noting that few pupils with these severe disabilities currently access paper-based national curriculum tests.

There may also be some children who are not familiar with using computers or technology at home. This may be due to socio-economic background or cultural practices. The national curriculum for key stage 2 states that pupils should be able to use a variety of software and students should be IT literate through computing studies at school, even if they do not have access to computers at home.¹ Pupils will also have access to a practice check system, to help familiarise themselves with the characteristics and functionality of the live check system.

Dyscalculia and dyslexia

Dyscalculia, a condition that makes it difficult to complete arithmetical calculations, is the most common specific learning difficulty associated with mathematics. Children with dyscalculia often have a lack of number sense, find it hard to grasp mathematical language and concepts and may not know how numbers relate to each other. Children with dyscalculia may also be slower at recalling basic facts, and may struggle to store things in their short-term memory. However, the proposed multiplication check is unlikely to put a large load on short-term memory because it will only test the recall of information. It does not have the same level of cognitive demand as mental arithmetic.

Another issue for children with dyscalculia is an emotional one; they may withdraw from the task if they struggle to answer successive questions in the time limit available. It is necessary to keep the timing element in order to maintain the validity of the check: increasing the time element means that for some pupils the check may become a test of mental arithmetic, rather than one of fluent recall, which would change the purpose of the check. To reduce any stress associated with the check we will encourage schools to administer the check in a room that is quiet and provides a comfortable, well-lit space. Schools will have flexibility in how to administer the check, and there will be no requirement for pupils to take the check at the same time. Providing pupils with the

¹ <https://www.gov.uk/government/publications/national-curriculum-in-england-computing-programmes-of-study/national-curriculum-in-england-computing-programmes-of-study#key-stage-2>.

opportunity to practise the test and familiarise themselves with the platform will further reduce stress and anxiety.

Dyslexia can also impact some pupils' ability to study mathematics. Due to the content and construct of the multiplication tables check, we do not consider that pupils with dyslexia will be disproportionately impacted. The difficulties that children with dyslexia may have with mathematics include decoding, understanding and completing word problems, remembering multi-step directions and listening to instructions while writing. The questions in the check will be in digits and mathematical symbols, not words. They will be short and simple, with a maximum of four digits plus one symbol in each question. Individual questions will not include any instructions in addition to the question itself, and pupils will already be familiar with the format of the check from practice sessions.

Teacher assessment frameworks for statutory assessment

The policy context and background

National curriculum levels were removed when the new national curriculum was introduced in September 2014, and were used to report statutory teacher assessment outcomes for the last time in summer 2015. Schools develop their own approaches to non-statutory assessment, while the government has designed new forms of statutory assessment to report attainment at the end of key stages 1 and 2.

For end-of-key stage statutory assessments, interim frameworks for teacher assessment were introduced in the 2015 to 2016 academic year. The interim frameworks were developed with experts and teachers, following feedback to a public consultation in autumn 2014 on a set of performance descriptors for the new national curriculum. The interim frameworks remained in place for the 2016 to 2017 academic year, which has allowed STA to evaluate the interim frameworks with due time and proper consideration.

As set out in the consultation 'Primary assessment in England', STA has been conducting an evaluation of the interim teacher assessment frameworks, working with curriculum, assessment and inclusion experts, as well as practising teachers, to determine whether they are fit for purpose and to make any necessary revisions in producing final versions. An important consideration has been to ensure that the frameworks are inclusive and fair for all pupils.

The consultation made a specific proposal to change the approach to assessing English writing. We proposed that teachers be afforded more flexibility to reach rounded judgements about pupils' attainment, in response to concerns about what has become known as the 'secure fit' approach, where a pupil must demonstrate every aspect of the framework in order to achieve a certain standard. The majority of respondents were in favour of this proposal, and we have confirmed that, from the 2017 to 2018 academic year onwards, we will move to a more flexible approach in the case of writing. The evaluation of the interim teacher assessment frameworks in writing and the resulting final versions reflect this change and have taken into account responses to the consultation.

The government's response to the consultation also sets out its plans to remove statutory assessments at the end of key stage 1 in the long term, once the new reception baseline has become fully established, and to remove unnecessary reporting of statutory teacher assessment outcomes in reading and mathematics at the end of key stage 2.

Statutory teacher assessment will remain in place for pupils working below the overall standard of national curriculum tests. The pre-key stage standards used for these pupils are analysed in a separate equalities impact assessment on the proposals from the Rochford Review of statutory assessment for these pupils.

Engagement and involvement

In addition to the consultation, the STA has engaged the following organisations and individuals specifically on the interim teacher assessment frameworks.

- **Ofqual**
- **SEND organisations**
 - Autism Education Trust
 - British Dyslexia Association
 - Council for Disabled Children
 - National Association of Principal Educational Psychologists (NAPEP)
 - National Association for Special Educational Needs (NASEN)
 - National Deaf Children's Society
 - National Sensory Impairment Partnership (NatSIP)
 - Professional Association of teachers of students with specific learning difficulties (Patoss)
 - Royal National Institute of Blind People (RNIB)
 - Special Educational Consortium
 - The Ear Foundation
 - VIEW, the association of the vision impairment education workforce
- **Teaching unions**
 - Association of School and College Leaders (ASCL)
 - Association of Teachers and Lecturers (ATL)
 - National Association of Head Teachers (NAHT)
 - National Association of Schoolmasters Union of Women Teachers (NASUWT)
 - National Union of Teachers (NUT)
 - Voice
- **Schools**
 - Practising year 2 and year 6 teachers
 - Practising head teachers
 - Practising SENCOs

In addition:

- Local authority representatives
- Curriculum experts who worked on the national curriculum (2014)
- Assessment experts who worked on the Commission on Assessment without Levels (2014) or NAHT's Assessment Review Group (2017)
- Members of the Rochford Review

Equalities analysis

Addressing issues with national curriculum levels

National curriculum levels did not closely relate to curriculum content and they allowed for subjective and inconsistent interpretation.² They could lead teachers to judge that a pupil was at a certain level of attainment, despite having significant gaps in their knowledge. The teacher assessment frameworks address this by ensuring that teachers assess against all the criteria within a standard (even in English writing, where teachers now have more flexibility over the overall judgement), which represent the key elements of the subject being assessed.

One potential benefit of this approach is increased objectivity. There is an established evidence base showing that teacher assessment, in and of itself, can be open to a wide range of potential biases, which will often be unconscious.³ Furthermore, although relating to a different form of teacher assessment, the *Performance descriptors* (2014) consultation⁴ found that many respondents were concerned that a model similar to levels would lead to inconsistency.

The evidence suggests that bias in the classroom confirms stereotypes and therefore affects certain groups of pupils disproportionately. There are inequalities in judgements of primary school pupils' achievements according to disadvantage, gender, SEND, ethnicity and spoken language. Evidence suggests that there is bias in teachers' average ratings of pupils' attainment, corresponding to every one of these characteristics when compared to their independently-scored equals.⁵

A particularly well-established bias is that gender stereotypes have been shown to negatively affect girls' mathematics attainment and positively affect boys' mathematics attainment.⁶ Another stereotype which appears to manifest in the classroom relates to ethnicity. For example, Strand (2008) showed black Caribbean pupils were systematically under-represented in entry to the higher tier papers in the key stage 3 mathematics and

² [Commission on Assessment Without Levels: final report](#), chaired by John McIntosh CBE (2015).

³ Elwood, J., (2005) *Gender and achievement: what have exams got to do with it?* *Oxford Review of Education* 31, pp. 373-393.

⁴ [Performance descriptors for key stage 1 and 2 statutory teacher assessment](#) (October to December 2014), Government consultation.

⁵ Tammy Campbell (2015), *Stereotyped at seven? biases in teacher judgement of pupils' ability and attainment*, Cambridge University Press, *Journal of Social Policy*, 44(3), 2015, pp.517-547.

⁶ Stobart, G., Elwood, J. and Quinlan, M. (1992). *Gender bias in examinations: how equal are the opportunities*. In *British Educational Research Journal*, 18, pp. 261-276; Victor Lavy and Edith Sand (2015), *On of the Origins of Gender Human Capital Gaps: Short Term and Long Term Consequences of Teachers' Stereotypical Biases*, National Bureau of Economic Research, Working Paper Series, No. 20909, January 2015.

science tests.⁷ These biases remain when factors including prior attainment, socio-economic status, and background are included. There is also a risk that subjective judgements impact upon low-attaining pupils generally, who disproportionately have SEND, EAL or FSM status, because teachers might make assumptions about what these pupils are capable of.

The teacher assessment frameworks by no means resolve all these issues of bias, but the increased specificity and focus on evidence should lead to greater objectivity than levels. It is possible that this will have a positive impact on pupils with protected characteristics.

Another potentially positive impact of the frameworks is that they should be more conducive to effective teaching for all pupils. The new national curriculum is predicated on the basis that mastering its content is something every child can aspire to and every teacher should encourage. Mastery pedagogy entails consolidation of knowledge before moving on in the curriculum. It is based on the principle that, ultimately, all pupils can master the content if they are appropriately supported.

A large amount of research has found that this approach has a consistent and positive impact on educational outcomes across all core subjects, and particularly for mathematics. The Education Endowment Foundation (EEF) has found such approaches can lead to an additional 5 months of progress over the course of a school year compared to traditional approaches.⁸ Assessing against more precise criteria supports a mastery approach as it highlights what areas pupils have grasped and where they need more support to consolidate learning.

This may positively impact low-attaining pupils, in particular by incentivising teachers to focus on providing additional support in areas that they struggle with. Evidence suggests that these pupils gain more from mastery pedagogy.⁹ Under such approaches, pupils with SEND and those with developmental delays can also work at their own pace and consolidate learning before moving on.

Approach to teacher assessment of English reading, mathematics and science

In addressing the above issues with national curriculum levels, for reading, mathematics and science, teachers need to have evidence that pupils have met every ‘pupil can’

⁷ Strand, S. (2008) *Minority Ethnic Pupils in the Longitudinal Study of Young People in England: Extension Report on Performance in Public Examinations at Age 16*. DCSF Rb029. London: DCSF.

⁸ [Education Endowment Foundation \(EEF\) toolkit: mastery learning - see technical appendix for meta-analyses.](#)

⁹ [EEF toolkit: mastery learning.](#)

statement. This encourages depth over pace, and avoids pupils moving from topic to topic without acquiring a sound grasp of the basics.

We have heard from stakeholders and experts engaged during the evaluation of the interim frameworks that this 'secure fit' approach is broadly fit for purpose in these subjects provided that the 'pupil can' statements:

- represent the key elements for the relevant programme of study
- comprise the skills a teacher would expect every pupil working at a given standard to have grasped
- can be easily evidenced through normal classroom practice and not in contrived tasks

The final versions of the teacher assessment frameworks in these subjects will meet these principles.

Some stakeholders have identified that a potential implication of this approach is that pupils who have difficulty with specific elements of the programme of study will be held back from achieving a standard of attainment. This may affect pupils with specific educational needs disproportionately. For example, a pupil with dyscalculia may have specific difficulty with the 'pupil can' statements in mathematics regarding the recall of mathematical facts and be unable to achieve a higher overall standard of attainment.

This impact needs to be considered alongside the principal purpose of statutory assessment at primary school: to hold schools to account for supporting pupils to master the basics, with no detrimental consequences for the pupil's future opportunities. If pupils' specific needs are effectively identified, they can be addressed at the next stage in their education. SEND stakeholders have recognised the benefits of early identification of needs, to ensure that these pupils do not go through school with gaps in their knowledge.

In reading, for example, pupils with speech and language needs may have difficulty with the statements relating to verbalising, contrary to their overall comprehension. This can affect some or all of the components of language including phonology, grammar, semantics and pragmatics.¹⁰ Crucially, however, evidence suggests that these needs can be addressed and so they should be reflected in assessment. The EEF found that, "overall, studies of oral language interventions consistently show positive benefits on learning, including oral language skills and reading comprehension. On average, pupils who participate in oral language interventions make approximately 5 months of additional progress over the course of a year".¹¹

¹⁰ Fletcher-Campbell, F (Eds) (2000). *Literacy and Special Educational Needs: a review of the literature*. DfEE RR 227.

¹¹ [EEF toolkit: oral language interventions](#).

However, the benefit of addressing educational needs must be considered alongside the risk of 2 potentially negative impacts. First, some stakeholders have raised the possibility of a disproportionate impact on these pupils' self-esteem if more of them achieve an overall lower standard. Second, there is a risk that teachers are incentivised to focus disproportionately on the elements of the curriculum holding pupils back, to the detriment of progression in other areas. This could also manifest in over-simplistic differentiation in the classroom.

It also relies, of course, on effective teacher training for targeted SEND support. This was one of the areas considered by the independent expert group chaired by Stephen Munday CBE, set up following Sir Andrew Carter's independent review of the quality of initial teaching training (ITT), in developing a framework of core content for ITT. The group's final report and the government's response are available [here](#).

On balance, the benefits of the 'secure fit' approach in English reading, mathematics and science outweigh potential risks. The government will continue to monitor and mitigate these risks on an ongoing basis. A crucial part of this lies in schools' own approaches to statutory assessment being proportionate and putting pupils' statutory teacher assessment outcomes in the context of the pupil's overall achievements. The government has made this clear: the frameworks should not be used as a substitute for school's own assessment system, which should recognise pupils' strengths as well as their weaknesses, and should not impact schools' teaching practice disproportionately.

A more flexible approach to teacher assessment of English writing

Despite providing teachers with more flexibility in the assessment of English writing, we are clear that teacher assessment should be objective and rigorous, while reflecting good pedagogy and avoiding pupils moving on with significant gaps in their knowledge. The English writing frameworks still set an expectation that teachers assess against all the 'pupil can' statements. However, evidence given by stakeholders, including in both the consultation and evaluation of the frameworks, suggests that the assessment of writing warrants a different approach. In response, the final English writing frameworks have a more flexible approach than the interim versions, allowing teachers to ensure that a particular weakness or omission in a pupil's writing does not constrain an accurate overall judgement of their attainment.

This change from the interim frameworks acknowledges the inherent subjectivity in assessing open writing tasks, which become too constrained within a 'secure fit' model. Evidence from stakeholders indicated that this could lead to contrived teaching, but also that the summative judgement of a pupil's attainment could be misrepresentative. There is precedent in assessing writing differently: Lord Bew's 2011 review of key stage 2 assessment recommended a different approach to assessing English writing rather than the use of a test, because of the subjectivity involved.

Evidence from stakeholders also suggested that the negative consequences of a less flexible approach for pupils with specific learning difficulties highlighted above are more

pronounced in English writing and outweigh the benefits. Chiefly, these are the impact on the self-esteem of pupils and the incentive for teachers to differentiate inappropriately.

The learning difficulty which has caused most concern is dyslexia. This primarily affects the skills involved in accurate and fluent word reading or spelling and occurs across a range of intellectual abilities.¹² The more flexible approach adopted in the revised teacher assessment frameworks address this as it allows a teacher, with good reason, to judge that a pupil with spelling difficulties meets a given standard overall.

A small number of stakeholders were concerned with the expectation set by the ‘pupil can’ statements on spelling altogether, which is assessed in a separate English grammar, punctuation and spelling test. However, teacher assessment of writing assesses the application of spelling through composition, and there is a wealth of evidence supporting spelling as a fundamental part of developing good composition skills.¹³ Furthermore, as part of the English programme of study, spelling is an important construct of what is being assessed.

Assessing pupils with disabilities

If pupils with disabilities or sensory impairment are held back from achieving an overall standard because they are physically unable to access particular statements, this would represent discrimination against disability, which is a protected characteristic.

The frameworks make clear that teachers can disregard statements which pupils are unable to meet due to a disability or sensory impairment. If a pupil cannot access a particular statement due to a disability or sensory impairment, this statement does not apply to them. For example, handwriting does not need to be included in the assessment of children with motor control difficulties. In cases where disability or sensory impairment may significantly affect statements without making them inaccessible, such as severe dyspraxia or partial visual impairment, teachers should exercise their professional judgement.

In addition, if a pupil uses a different method of communication than that described in the statements, their own equivalent is permissible as long as it does not compromise the standard of assessment. For example, children with hearing loss can use visual phonics

¹² Rose, J. (2009). *Identifying and Teaching Children and Young People with Dyslexia and Literacy Difficulties*; Fletcher-Campbell, F (2000). *Literacy and Special Educational Needs: a review of the literature*. DfEE RR 227.

¹³ Daffern, T. et al (2016), ‘Predictors of writing success: How important are spelling, grammar and punctuation?’ *Australian Journal of Education* 0(0) 1–13; Connelly, V. (2014). ‘Dyslexia and writing: poor spelling can interfere with good quality composition’. *Brookes eJournal of Learning and Teaching*. Vol. 6, 2.

for statements relating to phonics, or children with visual impairment can demonstrate reading with braille.

Terminology

It is necessary to have consistent terminology in statutory assessment for national benchmarking and accountability. Allowing for the purpose of assessment to grade pupils, this should not impact any groups disproportionately.

Some stakeholders have, however, expressed concern about whether the terminology used for the different standards could impact upon these pupils' self-esteem, particularly for those pupils that achieve 'working towards the expected standard', who are more likely to have SEND or FSM status. However, the term 'expected standard' defines more explicitly age-related expectations, so that statutory assessment provides a clear picture of how well a child is performing in relation to national expectations. It is useful for all pupils, parents and teachers to have a clear understanding of this threshold.

The government's reforms have drawn a crucial distinction between statutory and non-statutory assessment. This formed part of the rationale for removing levels, which had come to dominate all assessment. Schools develop their own non-statutory assessment systems to meet the needs of their pupils and account for their curriculum. In doing so, schools should not label pupils unhelpfully and should support them all to fulfil their potential. The Commission on Assessment Without Levels found that "removing the 'label' of levels can help to improve pupils' mind-sets about their own ability".¹⁴

Schools' effective and appropriate use of classroom assessment, placing statutory outcomes in context, will ensure low-attaining pupils are not labelled unhelpfully but recognised for their strengths and weaknesses. Effective in-school assessment, in tandem with clearly defined national expectations of the core knowledge of the national curriculum, can have a positive impact on low-attaining pupils.

¹⁴ John McIntosh (2015), [Commission on Assessment Without Levels: final report](#), p.14.

Next steps

This document sets out our assessment of the impact of the policies set out within the government response to the 'Primary assessment in England' consultation. This assessment is a living document and further policy work will be undertaken as the policies are developed and implemented to ensure that any risk of negative impact is mitigated and potential positive impact is maximised.

We will continue to actively identify and consider opportunities to promote equality issues in consultation with key stakeholders, with a view to improving equality for all.



Department
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